

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

SCOOTER LYNN ROBINSON

PLAINTIFF

v.

No. 4:18CV229-GHD-DAS

JERRY WILLIAMS, ET AL.

DEFENDANTS

MEMORANDUM OPINION

This matter comes before the court on the *pro se* prisoner complaint of Scooter Lynn Robinson, who challenges the conditions of his confinement under 42 U.S.C. § 1983. For the purposes of the Prison Litigation Reform Act, the court notes that the plaintiff was incarcerated when he filed this suit. The plaintiff has brought the instant case under 42 U.S.C. § 1983, which provides a federal cause of action against “[e]very person” who under color of state authority causes the “deprivation of any rights, privileges, or immunities secured by the Constitution and laws.” 42 U.S.C. § 1983. As the instant complaint is a photocopy of the complaint in an ongoing 2017 case Mr. Robinson filed in the United States District Court for the Southern District of Mississippi, the instant case will be dismissed without prejudice.

On October 17, 2018, Scooter Lynn Robinson filed a complaint under 42 U.S.C. § 1983 in the United States District Court for the Southern District of Mississippi styled *Robinson v. Hall*, 3:17CV807-CWR-FKB. That case is ongoing. Then, on November 13, 2018, Mr. Robinson photocopied his complaint in the Southern District case and filed it in this court, thus initiating the present – identical – case. It is unclear why Mr. Robinson chose to file the instant case, but proceeding with two parallel identical cases in different districts is the very picture of judicial inefficiency, wasting the time of the plaintiff, the defendants, and the court. In addition, even if this court were to proceed with the instant case, the possibility would exist that this court and our sister

court would enter conflicting rulings on the same issues, thus muddying the waters regarding the law of the case. There is simply no good reason for the instant case to proceed in this court, but there are amply reasons that it should not.

Conclusion

For the reasons set forth above, the instant case will be dismissed without prejudice to the plaintiff's ability to continue litigation of these issues in the United States District Court for the Southern District of Mississippi, where he initially filed suit. A final judgment consistent with this memorandum opinion will issue today.

SO ORDERED, this, the 20th day of February, 2019.



SENIOR JUDGE